

PTO/SB/30 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**Request
for
Continued Examination (RCE)
Transmittal**

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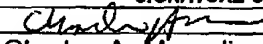
Application Number	09/806,952
Filing Date	04/05/01
First Named Inventor	D. BIGG et al
Art Unit	1625
Examiner Name	R. Desai
Attorney Docket Number	427.046

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(j) required)
- b. ☐ Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2275. I have enclosed a duplicate copy of this sheet.
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	11/3/04
Name (Print/Type)	Charles A. Muserlian	Registration No.	19,683

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature		Date	
Name (Print/Type)	Charles A. Muserlian	Date	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Name (Print/Type)	Charles A. Muserlian	Registration No.	19,683

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427.046

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: : R. Desai
D. BIGG et al :
Serial No.: 09/806,952 : Group: 1625
Filed: April 5, 2001 :
For: OPTICALLY...ANALOGUES :

475 Park Avenue South
New York, N.Y. 10016
November 3, 2004

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please amend this application as follows:

Amendments to the claims begin on page 2 of this paper.

Remarks begin on page 4 of this paper.

wherein R_1 is lower alkyl, R_2 , R_3 , R_4 and R_5 are individually selected from the group consisting of hydrogen, halogen and $-\text{OSO}_2\text{R}_{10}$, at least one of R_3 , R_4 and R_5 being $-\text{OS}$
 O_2R_{10} , R_6 is $-(\text{CH}_2)_m-\text{SiR}_7\text{R}_8\text{R}_9$, R_7 , R_8 and R_9 are individually lower alkyl, R_{10} is lower alkyl unsubstituted or substituted with at least one halogen or aryl unsubstituted or substituted with at least one lower alkyl, m is an integer from 0 to 6 and its non-toxic, pharmaceutically acceptable salts.

Claim 25 (cancelled)

Claim 26 (currently amended)

A pharmaceutical ~~An antitumoral~~ composition comprising an antitumorally effective amount of a compound of formula (II_A) of claim 24 and an inert carrier.

Claim 27 (currently amended)

A method of treating colon cancer tumors in warm-blooded animals comprising administering to warm-blooded animals in need thereof an ~~antitumorally~~ effective amount of a compound of claim 24 to treat colon cancer.